DRAFT

SUPPLEMENT
to the
MITIGATED NEGATIVE DECLARATION

for

MACKERRICHER STATE PARK
PUDDING CREEK TRESTLE REHABILITATION PROJECT

May 2007

Lead Agency

State of California
DEPARTMENT OF PARKS AND RECREATION
Northern Service Center
One Capitol Mall, Suite 500
Sacramento, California 95814

SUPPLEMENT TO A
MITIGATED NEGATIVE DECLARATION

PROJECT: **PUDDING CREEK TRESTLE REHABILITATION PROJECT**
MACKERRICHER STATE PARK
MENDOCINO COUNTY, CALIFORNIA

LEAD AGENCY:
The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), the lead agency for this project is the California Department of Parks and Recreation (DPR).

AVAILABILITY OF DOCUMENTS:
This Supplement to the final Mitigated Negative Declaration (MND) for the Pudding Creek Trestle Rehabilitation Project, along with a copy of the original MND for the project, will be available throughout the 30-day public review period at the following locations:

- DPR Mendocino District Headquarters
  Russian Gulch State Park
  Highway 1
  Mendocino, California 95460

- MacKerricher State Park Visitor Center
  24100 MacKerricher Road
  Fort Bragg, California 95437

- Mendocino County Library, Fort Bragg Branch
  499 Laurel Street
  Fort Bragg, California 95437

- California State Parks Internet Site:
  http://www.parks.ca.gov/default.asp?page_id=980

INTRODUCTION AND REGULATORY GUIDANCE

This Supplement to the Final Mitigated Negative Declaration (MND) for the Pudding Creek Trestle Rehabilitation Project has been prepared by the California Department of Parks and Recreation (DPR) according to CCR §15163[a]. It discloses changes in project scope, effects, and related mitigation measures that were not addressed in the previous MND. This Supplement only contains the changes and additions necessary to make the previous MND (which is incorporated by reference) adequate for the project as revised (CCR §15163[b]). This document has been prepared in accordance with the

California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq*., and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq*.

This Supplement to the Final MND will receive the same kind of notice and public review given to a draft MND, under CCR §15087 *et seq,* including filing with the Office of Planning and Research/State Clearinghouse (OPR).

The Project Description and Summary of Avoidance, Minimization, and Mitigation Measures sections below reflect changes as specified in the Corrections and Additions section of this document.

SUMMARY OF FINDINGS

DPR determined that with the implementation of all proposed avoidance, minimization, and mitigation measures, the project would not have any significant impact on the environment. This conclusion is supported by the findings summarized below. Based on an Initial Study and the environmental review and analysis contained in the Draft and Final MND for this project:

- There was no potential for adverse impacts on Agricultural Resources, Land Use and Planning, Minerals, or Population and Housing associated with the proposed project.

- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: Aesthetics, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.

- Full implementation of the proposed avoidance, minimization and mitigation measures included in this MND would reduce potential project-related adverse impacts on Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and potential project-related adverse effects from Hazards, Hazardous Materials, and Noise to a less than significant level.

The Notice of Determination for the originally certified MND on this project was filed on November 14, 2003 (SCH#2003102051). This Supplement will be appended to the originally certified Final MND following filing of the NOD and will be available by request, along with all supporting materials, at the Mendocino District Headquarters office.

PROJECT DESCRIPTION

PURPOSE OF PROJECT

The Department of Parks and Recreation proposes to rehabilitate the 1916 Pudding Creek Trestle (Trestle), including the installation of decking and safety railings to accommodate public access onto the Trestle deck (materials and pathway access will be constructed in accordance with the Americans with Disabilities Act requirements), and open the Trestle to the public. When opened, the Trestle would be accessible to pedestrians and bicyclists from the City of Fort Bragg and the South MacKerricher Coastal Trail (Haul Road).

SCOPE OF PROJECT

This document evaluates the environmental effects of proposed additions to the scope of an ongoing project to rehabilitate the Pudding Creek Trestle, located immediately north of Fort Bragg, in MacKerricher State Park. A Mitigated Negative Declaration was filed with the State Clearinghouse for the current project in October of 2003 (SCH# 2003102051), and Coastal Development Permits (CDPs) were obtained from 3 entities with jurisdiction at Pudding Creek: the City of Fort Bragg, the California Coastal Commission, and the County of Mendocino. When the project required activities involving the banks of Pudding Creek to resolve a safety hazard, DPR consulted with the Coastal Commission and received permission to operate in this area through an emergency amendment to the CDP. While the rehabilitation project was underway, DPR determined that six new concrete foundations are needed for Bents 27 through 32 at the trestle's north end. Construction of the new bent foundations involves several tasks that have the potential to impact the creek bed and an environmentally sensitive area located around the north abutment.

Prior to their removal in the current project, Bents 27 through 32 were supported by wooden pilings buried directly into the ground and assumed to be sitting on the sandstone layer beneath the sand and soil. Dry rot and termites destroyed these piles at and below the ground surface, causing the piles to lose their structural integrity. Bent 26 had deteriorated in this manner and was repaired sometime prior to the current rehabilitation project. The repair solution was to construct a concrete base that, by placing the wooden piles above the water surface, eliminated the potential for dry rot and termite infestation.

Table 1 shows the size of the proposed excavation, as well as the approximate amount of concrete and fill material at each bent.

Table 1. Foundation Data

	Dimension (W x H x L)	Total Concrete Volume	Approximate Volume Impact By Excavation	Total Displacement
Bent 27	Base 5' x 2.5'x 25' Wall 2' x 9'x 22'	28.76 CY	100 CY	7.14 CY
Bent 28	Base 5' x 2.5'x 25' Wall 2' x 9'x 22'	28.76 CY	100 CY	7.96 CY
Bent 29	Base 5' x 2.5'x 25' Wall 2' x 8'x 22'	23.79 CY	100 CY	6.30 CY
Bent 30	Base 4' x 2'x 25' Wall 2' x 15.5'x 22'	32.67 CY	40 CY	9.60 CY
Bent 31	Base 4' x 2'x 25' Wall 2.0' x 13.5'x 22'	29.41 CY	40 CY	8.58 CY
Bent 32	Base 4' x 2'x 22' Wall 2.0' x 8.0'x 22'	29.48 CY	30 CY	5.80 CY

PROJECT CONSTRUCTION

Light construction equipment will be used to deliver and install materials, construct bents and restore area once the work is completed. The equipment proposed to perform the work consists of a John Deere 315SJ (JD) and Hitachi 120 (HT). The JD is a gas powered, rubber tired, less than 85 decibel (dB) backhoe, weighing 15,400 pounds with a reach of 15 feet. The JD will be used to move materials to the site and install the Helical Anchors (see below) via an electric motor. The JD will also be used to repair the ground surface at completion of construction. The HT is a diesel powered, rubber track, low noise excavator, weighing approximately 27,600 pounds with a reach of 20 feet. The HT will be used to excavate the concrete foundations and backfill at completion of concrete work. A pump truck, similar to the Reed Dragonfly – Model XXT37R (58,380 Lbs) with a 120-foot boom, will be used to deliver the concrete. Information on these equipment types is attached to this document in Appendix A.

Access to the bent foundations will be from the existing paved road on the east side of the trestle, skirting the Environmentally Sensitive Area on the south end of the sand dune at the north abutment. All material deliveries, and re-fueling and inspecting of equipment, will take place on the access road (see Exhibit 3). The concrete pump truck will stage atop the north abutment, extending its boom to each bent foundation form; the pump truck will not access the bent site.

Prior to the helical anchor installation and bent construction, a geotechnical investigation will be conducted to determine the depth to bedrock, the depth to groundwater, the properties of the underlying soil and bedrock and the corrosivity of the soil (based on shallow groundwater sample analysis). This information is necessary to determine the total length of the helical anchors necessary to provide bearing and lateral support, and to determine the type of coating needed for corrosion resistance.

The geotechnical investigation will consist of advancing a maximum of three soil borings at the locations of bents 27-29 to an assumed depth of 20 feet below grade, or deeper until the sandstone bedrock is encountered. The borings will be advanced using a track-mounted CME-850 drill rig with hollow stem augers that will create a hole 6 to 8 inches in diameter. The CME-850 rig is 18 feet long, 8 feet wide, weighs 24,000 pounds and is mounted on steel tracks (see Appendix A). The drill rig will be off-loaded in the staging area and driven to the drilling locations via the approved path of travel, as shown on Exhibit 3.

Soil sampling may consist of Standard Penetration Tests (SPT) and/or other driven samples for the purpose of determining in situ soil densities (SPT) and/or to collect physical soil samples for laboratory analysis. Shallow groundwater samples will be collected for corrosivity testing. Bore holes will be abandoned according to the Mendocino County criteria; however, no cement-bentonite grout or other material toxic to fish will be introduced to the site without express approval of the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and/or NOAA Fisheries. Any drill cuttings will be contained and removed from the site as required by Mendocino County.

The proposed bent construction consists of two components, Helical Anchors, and concrete foundations. The Helical Anchors are drilled into the sand/soil to the sandstone layer to attain bearing with the JD backhoe to a maximum depth of approximately 40 feet at bent 27 to 15 feet on bent 29. The process is similar to an auger drilled into the soil, except that the anchor is not removed, it is left in place once it reaches its predetermined depth. The concrete foundation will be formed from the top of the water table to approximately 3 feet above the ground surface, with the anchors secured to rebar imbedded within the concrete foundation.

The concrete will be delivered via the pump truck from a top of the north abutment (north end of Construction Area shown on Exhibit 3), on the existing asphalt-paved haul road, extending the boom to each foundation from above. The pump truck will not access the creek bed or banks. The HT will excavate the sand / soil to set forms for concrete foundation. The JD will be used to backfill excavated area and restore ground surface at completion of work.

SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Avoidance/Minimization Measure Air-1:

- All active construction areas would be watered at least twice daily during dry, dusty conditions.
- All trucks hauling soil, sand, or other loose materials on public roads would be covered or required to maintain at least two feet of freeboard.
- All equipment would be maintained in good mechanical condition (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- Excavation and grading activities would be suspended when sustained winds exceed 25 mph, instantaneous gusts exceed 35 mph, or dust from construction might obscure driver visibility on public roads.

Avoidance/Minimization Measure Bio-1:
Coho Salmon, Steelhead, and Tidewater Goby

The following assessment would be made prior to the application of any chemical treatment to elements of the Pudding Creek Trestle, in compliance with recommendations in National Marine Fisheries Service's (1998) position document on use of treated wood in estuarine habitats, and presented to DFG for review:

- An initial assessment of background levels of potential contaminants in the water column and sediments in Pudding Creek, adjacent to the Trestle.
- An estimate of the potential contribution of toxins to the water column and sediments in that same area through the leaching process.
- Selection of the chemical(s) and method(s) of application would be subject to consultation with the National Marine Fisheries Service/National Oceanographic and Atmospheric Administration (NMFS/NOAA), USFWS, and DFG.
- The type and amount of chemical used and/or method(s) of application would be adjusted as necessary to ensure the combined total of existing toxins/

contaminants and potential discharge as a result of project activities would not exceed thresholds established by NMFS/NOAA.

- No on-site application of chemicals would be made. Installation of chemically-treated wood to the Trestle would only occur from July through March, to avoid the breeding season of the Tidewater goby.
- No cement-bentonite grout or other material toxic to fish will be introduced to the site without express approval of the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and/or NOAA Fisheries. Any drill cuttings will be contained and removed from the site as required by Mendocino County.
- Unless otherwise negotiated with DFG, USFWS, and NOAA fisheries, Pudding Creek will be monitored for noise levels (using a hydro-phone) during all ground disturbing activities within the streambed to ensure that a "peak" decibel level of less than 165 will avoid take for salmonids and/or tidewater gobies. The monitor will have the authority to stop work if the sound levels exceed the maximum level.
- All construction related work shall occur during daylight hours.
- No ground disturbing activities within the streambed shall occur before June 15th or extend beyond October 15th.
- If the mouth of Pudding Creek closes it will not be breached.
- No heavy equipment shall enter the wetted channel of Pudding Creek.

Avoidance/Minimization Measure Bio-2: Shore Birds

- If ground disturbing activities will occur during the nesting season (March 1 through September 30), a focused survey for nesting shorebirds will be conducted by a DPR-qualified biologist no more than 14 days prior to the start of work.
- If nesting shorebirds are found in the vicinity of the project area, an appropriate buffer zone with activity restrictions would be established, in consultation with DFG and/or the U.S. Fish and Wildlife Service. Restrictions would remain in place until the young have fledged, as determined by the project biologist.

Avoidance/Minimization measure Bio-3: Raptors

- A focused survey for raptor nests would be conducted by a DPR-qualified biologist during the nesting season to identify active nests within 500 feet of the project area. The survey would be conducted no less than 14 days and no more than 30 days prior to the beginning of construction. If work begins before the start of nesting season, the survey would be conducted within 30 days of the start of nesting season.
- If nesting raptors are found in the vicinity of the project area, an appropriate buffer zone with activity restrictions would be established, in consultation with DFG. Restrictions would remain in place until the young have fledged, as determined by the project biologist.

Avoidance/Minimization Measure Bio- 4: Purple Martin

- A DPR-qualified biologist or resource ecologist would conduct a survey for purple martins prior to the start of the nesting season (March - August), before work begins in the first construction year. Any purple martins discovered would be evicted immediately by qualified personnel, prior to the start of work, following standard DFG-approved eviction methods. Evictions would occur prior to the start of the nesting season.
- If work is scheduled to begin during or is delayed into the nesting season, a DPR-qualified biologist or resource ecologist would conduct a non-invasive survey for purple martin nests in the Trestle immediately prior to the start of construction. If any nests are found, the project resource ecologist and State Representative would consult with DFG and incorporate recommended measures to avoid or mitigate impacts to the species at this locale into the project scope, as appropriate and feasible.

Avoidance/Minimization/Mitigation Measure Bio-5: Sensitive Bat Species

- A DPR-qualified bat biologist or resource ecologist would conduct a survey for any sensitive bat species roosting within the Pudding Creek Trestle, prior to the start of the maternity season (February 15 - August 15), before work begins in the first construction year. Any bats discovered would be evicted immediately by qualified personnel, prior to the start of work, following standard eviction methods. Evictions would occur in the non-maternity season. Construction would begin immediately following any eviction, particularly in the areas where bats were congregating, and continue without any interruptions exceeding four days until work is complete.

- If work is delayed into the maternity season or if work is halted within the maternity season for five or more days, the project bat biologist/resource ecologist would conduct a non-invasive survey for sensitive bat species in the Trestle, immediately prior to the scheduled start of work. If non-volent young are present, DFG would be consulted to determine the proper course of action.

Avoidance/Minimization Measure Bio-6: Marine Mammals

- If any marine mammal hauls out of the water onto Pudding Creek beach, work on the streambed would temporarily cease until the mammal moves off the beach on it own accord, or until the appropriate agency (DFG, USFWS, and/or NOAA fisheries) is consulted and an alternative action is negotiated.

Avoidance Measure Bio-7: Wetlands and Waters of the U.S.

- Erosion control fabric, such as canvas or plastic tarps, would be installed under the Trestle during construction to catch small to large-sized material and prevent debris from falling into Pudding Creek. Any disposal of treated wood would take place in a licensed hazardous materials landfill.

Minimization Measure Cult-1: HAER Documentation

- A Historic American Engineering Record (HAER) would be prepared prior to the start of any construction and would record the Pudding Creek Trestle to Level 1 performance standards. It would include a full set of measured drawings; large format photographs (35mm b&w); large format photocopies; and a comprehensive history and description in narrative or outline format.
- Findings and recommendations of the HAER would be incorporated into the designs and specifications for the rehabilitation of the Trestle, as approved by a DPR-qualified historian, to the extent feasible [Date Completed – 15 January 2004].

Minimization Measure Cult-2: Historian Review of Plans

- All work impacting the historic fabric or significance of the historic resource and its surroundings would adhere to the restrictions included in the HAER, mitigations included in this MND, and the requirements set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.
- A DPR-qualified historian would review project plans to ensure that final drawings and specifications conform to all project restrictions and the Secretary of Interior's Standards for Rehabilitation [Date Completed – 15 January 2004].

Avoidance/Minimization Measure Cult-3: Archaeological Site Analysis

- An archaeological excavation plan would be prepared and implemented prior to the start of work, in a manner consistent with *A Guide To Sampling Endangered Coastal Archaeological Sites* by Kathleen Lindahl (2003) and professional standards. Excavations would determine the depth of the subsurface deposit, clearly define the site boundary, and recover data in areas where ground disruption would occur. A controlled surface collection and sampling a portion of the site with subsurface units would be obtained. The units would begin as 50 centimeter squares and would be expanded, if necessary, as determined by the project archaeologist. A sufficient volumetric sample would be acquired within the area of direct impact to obtain comparative data [Date Completed – 7 September 2004].
- Artifacts recovered during excavation would be cleaned, sorted, catalogued, and prepared for curation; artifacts would be curated at a DPR facility. Features encountered would be recorded in place or recovered and archived at the discretion of the supervising archaeologist. Where appropriate, specialized studies would be performed, consistent with professional archaeological standards. A report of the findings from the excavations would be completed and copies distributed to Cultural Resource Division, California State Park Headquarters; the DPR Northern Service Center; and Mendocino District Headquarters. The time necessary for excavation work associated with the plan would not exceed two weeks without approval of the project manager, State Representative, and project archaeologist.

- Excavations would be conducted well in advance of project-related ground-disturbing activities, to allow time to assess the resulting data and make a Determination of Effect to archaeological resources in the area to be disturbed by the project. Recommendations for measures to avoid or reduce project impacts to the site would be incorporated into the designs, specifications, and project scope, to the extent appropriate and feasible [Date Completed – 7 September 2004].

Avoidance Measure Cult-4: Archaeological Site Protection

- A DPR-qualified cultural resource specialist would consult with the project manager, contractor(s), and/or State Representative to develop a site avoidance plan that would avoid impacts to all identified archaeological sites within the project's area of potential effect. An avoidance zone around archaeological site CA-MEN-1839 would be flagged prior to the start of construction [Date Completed – 7 September 2004].
- The archaeological site CA-MEN-1839 and surrounding buffer zone has been designated as an Environmentally Sensitive Area (ESA) and depicted as such on the construction plans. Activities within the ESA are restricted to elements identified within the scope of this project and subject to strict implementation of all avoidance and mitigation measures included in this document. No mechanized equipment will be allowed within the boundary of the ESA. The area would be off-limits to all personnel not actively involved in approved activities. The ESA will be permanently closed to foot traffic and the area revegetated upon completion of the project.
- All earthmoving activities, including the operation of heavy equipment within the ESA would be prohibited without the approval of the project archaeologist.

Avoidance Measure Cult-5: Archaeological Site Protection

- Vehicle access and equipment staging would not take place in the vicinity of the ESA. These activities would be restricted to hard-surface areas identified in Chapter 2, Section.6 of the Final MND.
- The existing footpath adjacent to the ESA would be closed to the public during construction and would not be used as a primary access route to or within the construction site. The southeastern side of the ESA will be blocked to hinder foot traffic through the site using volunteer trails.
- The west edge of the site will be fenced off with cyclone fencing to protect the ESA from ground disturbing activities associated with this project.
- Access to Bents 27 through 32 for rehabilitation work will be from an established route of travel via the beach or on the paved surface of the haul road.

Minimization Measure Cult-6: Archaeological Site Protection

- An archaeological monitor will be on site during all excavation work for Bents 30 through 32. Depending on the extent of the ground excavation required for the rehabilitation of Bents 27 through 29, it may be necessary to have an archaeological monitor present. The archaeological monitoring needs will be determined at the discretion of the DPR archaeologist assigned to the project once the design for Bents 27 through 29 have been completed and reviewed.

Mitigation Measure Cult-7: Archaeological Discovery Provisions

- In the event that previously undocumented cultural resources are encountered during project construction (including but not limited to dark soil containing shellfish, bone, flaked stone, ground stone, or deposits of historic trash) by anyone, the State Representative will ensure that work within 100 feet of the find will cease and desist until the Mendocino County Director of Planning and Building Services (Director) is notified and a DPR-qualified professional archaeologist has evaluated the find and has, in consultation with the State Representative, implemented appropriate avoidance, preservation, or recovery measures as appropriate prior to any work resuming at that specific location.
- If deemed necessary by the Director, DPR will arrange for staking completely around the area of discovery by visible stakes no more than ten (10) feet apart, forming a circle having a radius of no less than one hundred (100) feet from the point of discovery; provided that such staking does not take place on adjoining property whose owner or person in possession does not authorize such staking thereon, in which case the boundary line within such circle shall be staked; and DPR will grant any duly authorized representative of the Director to enter onto the lands of the discovery which are within MacKerricher State Park and to take all actions consistent with this Chapter and otherwise permitted by law.
- The Director may arrange for an on-site inspection of the area of discovery by one or more of his/her representatives within seventy-two (72) hours of the time of such notification. The Director shall give notice of the time of the on-site inspection to the State Representative, who shall be entitled to accompany the Director's representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archaeological significance. In the event that such inspection does not take place within the 72 hour period and the Director has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may resume; provided, however, that if human remains are discovered, no further excavation or disturbance of the site may take place until specifically authorized by the Sheriff-Coroner.
- If the Director's representative determines that the site of the discovery is one of archaeological significance, it shall, within 72 hours of being notified of the discovery, notify DPR of (1) such determination, (2) the apparent boundaries of the site, and (3) its specific recommendations for the conservation of the site. The County Commission may then also issue an order to cease and desist from all further excavation or disturbance of the site for a specific period of time not to exceed thirty (30) days; provided, however, that the period may be extended up to forty-five (45) additional days by minute order of the Board of Supervisors. During the period such cease and desist order is in effect, the site shall be open to physical inspection, photographing, supervised excavation, study and all other reasonable related activities by any person duly authorized by the Commission. DPR shall be kept advised of the times at which any such duly authorized person is on the site and shall be

given the opportunity to accompany such person while on the site. The Commission may designate as its representative one or more professional archaeologists.

- In the event that significant cultural resources are found in the project location, a qualified historian and/or archaeologist will monitor all subsurface work including trenching, grading, and excavations in that area from that point forward to ensure avoidance of significant cultural resources.

Mitigation Measure Cult-8: Human Remains

- In the event that human remains are discovered, work would cease immediately in the area of the find and the State Representative would notify the appropriate DPR personnel. Any human remains and/or funerary objects would be left in place or returned to the point of discovery and covered with soil. The State Representative (or authorized representative) would notify the County Sheriff-Coroner, in accordance with 7050.5 of the California Health and Safety Code, and the Native American Heritage Commission (or Tribal Representative). If a Native American monitor is on-site at the time of the discovery, the monitor would be responsible for notifying the appropriate Native American authorities.

- If the coroner determines the remains represent Native American interment, the Native American Heritage Commission in Sacramento and/or tribe would be consulted to identify the Most Likely Descendant, who would be consulted in determining appropriate disposition of the remains.

- Work would not resume in the area of the find until proper disposition is complete (PRC 5097.98). No human remains or funerary objects would be cleaned, photographed, analyzed, or removed from the site prior to determination.

- If it is determined the find indicates a sacred or religious site; the site would be avoided to the maximum extent practicable. Formal consultation with the State Historic Preservation Officer and review by the Native American Heritage Commission/Tribal cultural representative(s) would also occur as necessary to define additional site mitigation or future restrictions.

Avoidance Measure Geo-1: Seismic & Building Design Criteria

- All designs and specifications for the Pudding Creek Trestle structure and foundation would conform to the earthquake design requirements in Chapter 16, Division IV of the most recent accepted edition of the California Building Code (CBC). The information from the structural report by Osmose, Inc. (2001) indicates the abutments are founded on rock (no description). The design criteria would be for Seismic Zone 4, with a soil type of S_B to S_D (rock to stiff soil) for the abutments, as indicated in Table 16-J, of the 2001 CBC.

- The abutment replacements would be keyed into competent bedrock to prevent slope failures from undermining the bearing strength of the abutments.

Avoidance Measure Geo-2: Erosion Control

- DPR, Mendocino County, and/or North Coast Regional Water Quality Control Board (NCRWQCB) approved Best Management Practices (BMPs) would be used in all areas to control soil and surface water runoff during excavation, trenching, and grading. If ground disturbing operations must occur during the rainy season (October 31 to May 1), or if unseasonable storms are anticipated during construction, "winterizing" would occur, including the covering (tarping) of any stockpiled soils and the use of temporary erosion control methods to protect disturbed soil.
- Temporary erosion control measures would be used during all soil disturbing activities and until all disturbed soil has been stabilized (re-compacted, revegetated, etc.) This would include, but not be limited to, the use of silt fences, straw bales, or straw or rice coir rolls to prevent soil loss and siltation into nearby water bodies.
- Permanent erosion controls would be implemented, including proper compaction and revegetation of disturbed soil areas (except in the bent locations within the Pudding Creek channel), as soon as feasible following construction.
- The project will adhere to all applicable local building and engineering regulations/ordinances set forth by Mendocino County.

Avoidance/Minimization Measure Hazmat-1: Spill Prevention

- All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until equipment is removed from park premises.
- All spill prevention, control measures, and countermeasures covered in the Stormwater Pollution Prevention Plan (SWPPP) will be implemented throughout the duration of the project. These measures included but are not limited to maintenance of a spill kit on-site, and delineation of construction staging or storage areas and areas where refueling, lubrication, and maintenance of equipment may occur.
- As specified in the SWPP, equipment would be cleaned and repaired (other than emergency repairs) outside the park boundaries. All contaminated water, soil, sludge, spill residue, or other hazardous compounds would be disposed of outside park boundaries, at a licensed hazardous materials landfill.

Avoidance/Minimization Measure Hazmat-2: Wood Preservative Procedures

- A Health and Safety Plan (HS Plan) would be prepared prior to the start of construction, to provide information on the proper use and storage of any

wood preservative chemicals (including Material Safety Data Sheets), and rigorously implemented throughout the project. The HS Plan would include emergency procedures in the event personnel are exposed, including a map with directions to the nearest hospital and phone numbers. In the event of any spill or release of any chemical in any physical form on or immediately adjacent to the Pudding Creek Trestle during construction, appropriate DPR staff (e.g., project manager, construction supervisor, or resource specialist) would be immediately notified to initiate appropriate containment and cleanup actions.

- DPR, Mendocino County, and/or North Coast Regional Water Quality Control Board (NCRWQCB) approved Best Management Practices (BMPs) and manufacturer recommended directions for use would be implemented for all wood preservative storage and application.
- Consultation with NMFS and the DFG (in conjunction with 1601 permit procedures) would be required. NMFS and DFG recommendations and requirements would be incorporated into the design and specifications, and implemented as part of the project scope, as necessary to avoid or mitigate potential natural resource impacts.

Avoidance/Minimization Measure Hazmat-3: Fire Management

- A fire safety plan would be in place prior to the start of any construction, including identified fire suppression equipment and completion of any required employee training.
- Spark arrestors or turbo-charging (which eliminates sparks in exhaust) and fire extinguishers would be required for all heavy equipment.
- Construction crews would be required to park vehicles away from flammable material, such as dry grass and brush. At the end of each workday, heavy equipment would be parked over mineral soil, asphalt, or concrete to reduce the chance of fire.
- A Hazardous Materials Abatement Plan and Specifications for the proper use, storage, and disposal of any flammable materials used on site would be prepared, in conjunction with the HS plan indicated in Hazmat-1 above, prior to start of work and implemented during all phases of the project.
- Park staff would be required to have a State Park radio on site, which would allow direct contact with Mendocino County Fire Department and centralized dispatch center, to facilitate the rapid dispatch of control crews and equipment in case of a fire. Fire suppression equipment would also be available within the park.

Avoidance/Minimization Measure Hydro-1: Water Quality

- The project would comply with all applicable water quality standards and waste discharge requirements as specified in the NCRWQCB Basin Plan. Although not specifically required by the NCRWQCB due to the project site size, a Stormwater

Pollution Prevention Plan has been prepared and will be implemented throughout project duration to reduce impacts from runoff and sediment releases.

Avoidance/Minimization Measure Noise-1: Construction Noise

- Construction activities would generally be limited to daylight hours, Monday - Friday. If work during weekends or holidays is required, no work would occur on those days before 7:30 a.m. or after 8 p.m.
- Internal combustion engines used for any purpose at the job site would be equipped with a muffler of a type recommended by the manufacturer. Equipment and trucks used for construction would utilize the best available noise control techniques (e.g., engine enclosures, acoustically-attenuating shields or shrouds, intake silencers, ducts, etc.) whenever feasible and necessary.
- Stationary noise sources and staging areas would be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, stationary noise sources would be muffled to the extent feasible and/or, where practicable, enclosed within temporary sheds.

CORRECTIONS AND ADDITIONS

Corrections and additions included in this Supplement to the Pudding Creek Trestle Rehabilitation Project MND could result in substantial changes to the circumstances under which the project will be undertaken, new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, as identified in CCR §15162, *et seq,* thereby requiring the preparation of a subsequent MND or EIR. However, these changes and potential effects can be identified with minor additions and changes to the previous MND; per CCR §15163(a)(1 & 2). This Supplement to an MND is, therefore, sufficient to identify and address these conditions and revisions, and preparation of a Subsequent MND is no longer required.

The following corrections, additions, and deletions will supplement and, where contradictory, supersede the applicable portions of the previously certified Final MND for this project. Additions and corrections are underlined; strikeout indicates a deletion. In some cases, in areas where there were many individual changes, an entire paragraph or section was deleted and re-written, even if portions of the narrative remained the same in both versions. This was done for ease of presentation and public review. Minor punctuation, spelling, and grammatical corrections that contribute to ease of understanding, but have no significant impact on the content, have not been included in this document.

DISCRETIONARY APPROVALS (SECTION 2.9)

DPR has continued its consultation/coordination with regulatory agencies having discretionary authority over land use and resource protection within the project area.

Summary of change and significance

DPR held an on-site meeting on March 19, 2007 with the U.S. Fish and Wildlife Service (FWS), California Department of Fish and Game (DFG), and National Marine Fisheries (NOAA) to discuss repair options for the Pudding Creek Trestle work needed at bents 27- 32. It was advised that additional avoidance measures that avoid impacts to sensitive salmonids and tidewater gobies be incorporated into the project.

SCOPE OF PROJECT (SECTION 2.5)
The project scope and construction details provided on pages 4-6 of this document are supplemental to the project description on pages 8-9 of the previously-approved final MND.

Summary of change and significance

During rehabilitation of the trestle, DPR determined that six new concrete foundations are needed for Bents 27 through 32 at the trestle's north end. Geotechnical investigations are necessary to ascertain existing conditions prior to installation of these foundations. These changes increase the project's potential to affect biological resources, and changes have been incorporated into the project to avoid, minimize, or mitigate adverse effects.

SUMMARY OF AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES (CHAPTER 5)
General changes have been made within this section to subject headings and numberings.

Summary of change and significance

Title of this section is changed to indicate that while some of the listed measures are included in the project to mitigate adverse effects on specific resources, many of the measures will ensure avoidance of certain types of effects or substantially reduce their potential severity.

Titles of individual measures in this section have been changed to identify whether they are included in the project to avoid, minimize, or mitigate adverse effects. They are also re-numbered in some cases to accommodate additional measures.

Avoidance/Minimization Measure Bio-1:
Coho Salmon, Steelhead, and Tidewater Goby
Additional constraints added.

Summary of change and significance

- No cement-bentonite grout or other material toxic to fish will be introduced to the site without express approval of the U.S. Fish and Wildlife Service, the California Department of Fish and Game, and/or NOAA Fisheries. Any drill cuttings will be contained and removed from the site as required by Mendocino County.
- Unless otherwise negotiated with DFG, USFWS, and NOAA fisheries, Pudding Creek will be monitored for noise levels (using a hydro-phone) during all ground disturbing activities within the streambed to ensure that a "peak" decibel level of less than 165 will avoid take for salmonids and/or tidewater gobies. The monitor will have the authority to stop work if the sound levels exceeded the maximum level.

- All construction related work shall occur during daylight hours.
- No ground disturbing activities within the streambed shall occur before June 15th or extend beyond October 15th.
- If the mouth of Pudding Creek closes it will not be breached.
- No heavy equipment shall enter the wetted channel of Pudding Creek.

Avoidance/Minimization Measure Bio-2: Shore Birds

Since project activities now involve heavy equipment in the streambed, the following avoidance and/or minimization measures have been incorporated to protect potential nesting shorebirds.

Summary of change and significance

- If ground disturbing activities will occur during the nesting season (March 1 through September 30), a focused survey for nesting shorebirds will be conducted by a DPR-qualified biologist no more than 14 days prior to the start of work.
- If nesting shorebirds are found in the vicinity of the project area, an appropriate buffer zone with activity restrictions would be established, in consultation with DFG and or the U.S. Fish and Wildlife Service. Restrictions would remain in place until the young have fledged, as determined by the project biologist.

Avoidance and/or Minimization Measure Bio-6: Marine Mammals

Since project activities now involve heavy equipment in the streambed, the following avoidance and/or minimization measures have been incorporated to protect marine mammals that could access the beach near the project area.

Summary of change and significance

- If any marine mammal hauls out of the water onto Pudding Creek beach, work on the streambed would temporarily cease until the mammal moves off the beach on it own accord, or until the appropriate agency (DFG, USFWS, and/or NOAA fisheries) is consulted and an alternative action is negotiated.

MINIMIZATION MEASURE CULT-1: HAER DOCUMENTATION

Date of completion of this measure added.

Summary of change and significance

[Date Completed – 15 January 2004].

MINIMIZATION MEASURE CULT-2: HISTORIAN REVIEW OF PLANS

Date of completion of this measure added.

Summary of change and significance

[Date Completed – 15 January 2004].

AVOIDANCE/MINIMIZATION MEASURE CULT-3: ARCHAEOLOGICAL SITE ANALYSIS

Date of completion of this measure added.

Summary of change and significance

[Date Completed – 7 September 2004].

MINIMIZATION MEASURE CULT-6: ARCHAEOLOGICAL SITE PROTECTION

DPR modified the language in **Mitigation Measures Cult-6** and **Cult-7** after the Mendocino County Archaeological Commission required additions pursuant to its review of the Coastal Development Permit application submitted to the County in May 2005 for the Trestle Rehabilitation project.

Summary of change and significance

- ~~A DPR-qualified archaeologist would monitor all construction activities in the vicinity of the identified archaeological site, CA-MEN-1839. If potentially significant resources are unearthed, work in the immediate area of the find would be temporarily halted or diverted until identification and proper treatment are determined and implemented. The DPR Service Center or District Cultural Resource Section would be notified a minimum of three weeks prior to the start of ground-disturbing work to schedule monitoring, unless other arrangements are made in advance.~~
- An archaeological monitor will be on site during all excavation work for Bents 30 through 32. Depending on the extent of the ground excavation required for the rehabilitation of Bents 27 through 29, it may be necessary to have an archaeological monitor present. The archaeological monitoring needs will be determined at the discretion of the DPR archaeologist assigned to the project once the design for Bents 27 through 29 have been completed and reviewed.

MITIGATION MEASURE CULT-7: ARCHAEOLOGICAL DISCOVERY PROVISIONS

Replaced with the following revision.

Summary of change and significance

- In the event that previously undocumented cultural resources are encountered during project construction (including but not limited to dark soil containing shellfish, bone, flaked stone, ground stone, or deposits of historic trash) by anyone, the State Representative will ensure that work within 100 feet of the find will cease and desist until the Mendocino County Director of

Planning and Building Services (Director) is notified and a DPR-qualified professional archaeologist has evaluated the find and has, in consultation with the State Representative, implemented appropriate avoidance, preservation, or recovery measures as appropriate prior to any work resuming at that specific location.

- If deemed necessary by the Director, DPR will arrange for staking completely around the area of discovery by visible stakes no more than ten (10) feet apart, forming a circle having a radius of no less than one hundred (100) feet from the point of discovery; provided that such staking does not take place on adjoining property whose owner or person in possession does not authorize such staking thereon, in which case the boundary line within such circle shall be staked; and DPR will grant any duly authorized representative of the Director to enter onto the lands of the discovery which are within MacKerricher State Park and to take all actions consistent with this Chapter and otherwise permitted by law.
- The Director may arrange for an on-site inspection of the area of discovery by one or more of his/her representatives within seventy-two (72) hours of the time of such notification. The Director shall give notice of the time of the on-site inspection to the State Representative, who shall be entitled to accompany the Director's representatives at all times on the property in question. The purpose of the inspection shall be to determine whether the site is one of archaeological significance. In the event that such inspection does not take place within the 72 hour period and the Director has not, within such time, issued an order to cease and desist for a longer period of time, the excavation and disturbance of the site may resume; provided, however, that if human remains are discovered, no further excavation or disturbance of the site may take place until specifically authorized by the Sheriff-Coroner.
- If the Director's representative determines that the site of the discovery is one of archaeological significance, it shall, within 72 hours of being notified of the discovery, notify DPR of (1) such determination, (2) the apparent boundaries of the site, and (3) its specific recommendations for the conservation of the site. The County Commission may then also issue an order to cease and desist from all further excavation or disturbance of the site for a specific period of time not to exceed thirty (30) days; provided, however, that the period may be extended up to forty-five (45) additional days by minute order of the Board of Supervisors. During the period such cease and desist order is in effect, the site shall be open to physical inspection, photographing, supervised excavation, study and all other reasonable related activities by any person duly authorized by the Commission. DPR shall be kept advised of the times at which any such duly authorized person is on the site and shall be given the opportunity to accompany such person while on the site. The Commission may designate as its representative one or more professional archaeologists.
- In the event that significant cultural resources are found in the project location, a qualified historian and/or archaeologist will monitor all subsurface work including

trenching, grading, and excavations in that area from that point forward to ensure avoidance of significant cultural resources.

Avoidance Measure Geo-2: Erosion Control
Corrected language to omit "NPDES" as an agency, indicate that region's rainy season begins October 31, and clarify that no revegetation is planned for the areas to be excavated at the bents.

Summary of change and significance

- . . . If ground disturbing operations must occur during the rainy season (October ~~1~~ 31 to May 1), or if unseasonable storms are anticipated during construction, "winterizing" would occur, including the covering (tarping) of any stockpiled soils and the use of temporary erosion control methods to protect disturbed soil.
- Permanent erosion controls would be implemented, including proper compaction and revegetation of disturbed soil areas (except in the bent locations within the Pudding Creek channel), as soon as feasible following construction.
- The project will adhere to all applicable local building and engineering regulations/ordinances set forth by Mendocino County.

Avoidance/Minimization Measure Hazmat-1: Spill Prevention
Replaced with the following revision.

Summary of change and significance

- ~~All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until equipment is removed from park premises.~~
- ~~A Spill Prevention, Control, and Countermeasure Plan (SPCC Plan) would be prepared prior to the start of construction and a spill kit maintained on-site throughout the duration of the project. This SPCC Plan would include a map delineating construction staging or storage areas and areas where refueling, lubrication, and maintenance of equipment may occur. (See BIO-1 for plan requirements regarding use of wood preservative and impacts to sensitive species.)~~
- ~~Equipment would be cleaned and repaired (other than emergency repairs) outside the park boundaries. All contaminated water, soil, sludge, spill residue, or other hazardous compounds would be disposed of outside park boundaries, at a lawfully permitted or authorized site.~~

- All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until equipment is removed from park premises.
- All spill prevention, control measures, and countermeasures covered in the

Stormwater Pollution Prevention Plan (SWPPP) will be implemented throughout the duration of the project. These measures included but are not limited to maintenance of a spill kit on-site, and delineation of construction staging or storage areas and areas where refueling, lubrication, and maintenance of equipment may occur.

- As specified in the SWPP, equipment would be cleaned and repaired (other than emergency repairs) outside the park boundaries. All contaminated water, soil, sludge, spill residue, or other hazardous compounds would be disposed of outside park boundaries, at a licensed hazardous materials landfill.

Avoidance/Minimization Measure Hazmat-2: Wood Preservative Procedures
Omitted reference to "NPDES" as an approving agency.

Summary of change and significance

- DPR, Mendocino County, ~~NPDES,~~ and/or North Coast Regional Water Quality Control Board (NCRWQCB) approved Best Management Practices (BMPs) and manufacturer recommended directions for use would be implemented for all wood preservative storage and application.

Avoidance/Minimization Measure Hydro-1: Water Quality
Replaced with the following revision.

Summary of change and significance

- ~~The project would comply with all applicable water quality standards and waste discharge requirements as specified in the NCRWQCB Basin Plan. A Stormwater Pollution Prevention Plan, if required by the NCRWQCB, would be implemented to reduce impacts from runoff and sediment releases.~~

- The project would comply with all applicable water quality standards and waste discharge requirements as specified in the NCRWQCB Basin Plan. Although not specifically required by the NCRWQCB due to the project site size, a Stormwater Pollution Prevention Plan has been prepared and will be implemented throughout project duration to reduce impacts from runoff and sediment releases.

Findings

DPR determined that with the implementation of all previously-approved and newly-proposed avoidance, minimization, and mitigation measures, the project would not have any significant impact on the environment. There are therefore no changes to the findings in the final MND.

This Draft Supplement to the MND, along with the previously adopted final document (SCH#2003102051), will constitute the Final MND for the Pudding Creek Trestle Rehabilitation Project at MacKerricher State Park, following public and agency review and incorporation of any resultant changes.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the information contained in the Draft Supplement to the MND for the proposed project and finds that this document reflects the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and enforceable, and will be implemented as stated in the Final EIR, including this Supplement.

_____ May 25, 2007

Susan Wilcox Date
Environmental Coordinator
California Department of Parks & Recreation
Northern Service Center

_____ May 25, 2007

Kathy Amann Date
Service Center Manager
Acquisition and Development Division